

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MELVIN KETCHUM,	§
	§
Petitioner,	§
VS.	§ CIVIL ACTION NO. C-08-193
NATHANIEL QUARTERMAN,	§
	§
Respondent.	§

**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION TO DENY PETITIONER'S
MOTION FOR EQUITABLE TOLLNG**

On September 15, 2009, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that petitioner's motion for equitable tolling regarding the filing of his notice of appeal (D.E. 63) be denied. On September 24, 2009, petitioner filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that petitioner's motion for equitable tolling regarding the filing of his notice of appeal is denied.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 22nd day of October, 2009.



Janis Graham Jack
United States District Judge